

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA

V.

Case No. 4:22cr00483-3

JOSE MIGUEL RIVERA-DIAZ,

DEFENDANT

**PROPOSED ORDER ON DEFENDANT JOSE MIGUEL RIVERA-DIAZ'S  
UNOPPOSED MOTION FOR CONTINUANCE**

Pending before the Court is a motion filed by Defendant, Jose Miguel Rivera-Diaz, for the Continuance of Trial in this matter, to which the Government agrees. In accordance with 18 U.S.C. §3161, the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendant in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. §3161, a failure to grant continuance in this case would deny counsel for the Defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendant.

The Defendant recites that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in 18 U.S.C. §3161 as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

IT IS HEREBY ORDERED that the Defendant's Motion for Continuance is GRANTED.

A period of excludable delay shall commence from \_\_\_\_\_,  
pursuant to 18 U.S.C. §3161, and end upon the start of trial.

Motions shall be filed by: \_\_\_\_\_

Responses shall be filed by: \_\_\_\_\_

Pretrial Conference is set for: \_\_\_\_\_

Trial of this case is hereby scheduled to commence on \_\_\_\_\_ at  
\_\_\_\_\_am/pm.

Signed in Houston, Texas on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Charles Eskridge  
United States District Judge